



**ZONING ADMINISTRATOR
NOTICE OF DECISION
Otay Ranch Village 2 Neighborhood R-7
Presidio II Phase 1 & 2**

Date: June 28, 2010
Applicant: JPB Development, LLC
Case No.: DRC-09-37
Address: Neighborhood R-7: North of Carpinteria Street, West of Stow Grove Avenue, & East of Donze Avenue (APN 644-311-12-00)
Project Planner: Caroline Young

Notice is hereby given that on June 28, 2010, the Zoning Administrator considered Design Review (DRC) application DRC-09-37, filed by JPB Development, LLC ("Applicant"). The Applicant requests a Design Review approval for 44 Single-Family lots to be constructed in two phases of development on approximately 28 acres of land in Otay Ranch Village Two, Neighborhood R-7. The Project is located North of Carpinteria Street, West of Stow Grove Avenue, & East of Donze Avenue ("Project Site") and is owned by Lanes End, LLC ("Property Owner"). The Project Site is zoned Planned Community (PC) within the Otay Ranch Village Two Sectional Planning Area (SPA), with a General Plan designation of Residential Low-Medium (RLM). The Project is more specifically described as follows:

The Project consists of 40 single-family residences with garage access either directly off of the primary street or private access easement. The project will be constructed in two phases of development; Phase 1, twenty-eight (28) single-family homes; Phase 2, consisting of the remaining single-family lots.

Planning staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project was adequately covered in previously adopted Final Second Tier EIR (EIR-02-02), for the Otay Ranch Villages Two, Three and a Portion of Four Sectional Planning Area (SPA) Plan. No further environmental review or documentation is necessary.

The Zoning Administrator approved said request based upon the following findings of fact:

- 1. That the proposed project is consistent with the development regulations of the Village Two Sectional Planning Area (SPA) Plan and Planned Community (PC) District Regulations.**

Neighborhood R-7 is designated Residential Single-Family in the PC District regulations of the Otay Ranch Village Two SPA Plan. The proposed 28-acre development contains an allowable density in compliance with the requirements of

DRC-09-37, Otay Ranch Village 2, R-7

the SPA Plan. The use is permitted and meets all of the development regulations as stipulated in the Otay Ranch Village Two PC District Regulations as conditioned

2. **The proposed project is consistent with the design and development standards of the Otay Ranch Village Two Sectional Planning Area (SPA) Design Plan.**

The project is in compliance with the Single-Family Design Guidelines of the Otay Ranch Village Two Design Plan and is consistent with the SPA density requirements.

3. **The design features of the proposed development are consistent with, and are a cost-effective method of satisfying, the Otay Ranch Village Two Sectional Planning Area (SPA) Design Plan.**

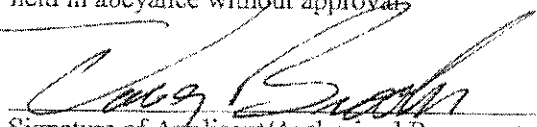
The proposed project is cost-effective method of satisfying the regulations of the Otay Ranch Village Two Sectional Planning Area (SPA) Design Plan.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Design Review Permit DRC-09-37, as described above subject to the following conditions of approval:

- I. **Prior to the approval by the City of Chula Vista for the use of the subject property in reliance upon this approval, the Applicant shall satisfy the following requirements. Unless otherwise noted, the following conditions shall be satisfied prior to the approval of the first building permit:**

Planning Division

- 1 The Applicant/Representative and Property Owner shall execute this document by making a true copy and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.


Signature of Applicant/Authorized Representative

6-28-10
Date

Signature of Property Owner/representative

Date

2. Phase 1 construction shall consist of twenty-eight (28) lots as depicted on the R-7 Phase 1 Final Map, and Phase 2 construction shall be comprised of the remaining lots within neighborhood R-7.
3. Prior to the approval of building permits, the project shall comply with all applicable Otay Ranch Village 2 Tentative Map No. 15350 conditions of approval associated with each phase of development.
4. Prior to the approval of building permits for each phase, the Final Map for the associated phase shall be approved by the City and recorded.
5. Prior to, or in conjunction with the issuance of the first building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1593.
6. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board.
7. Prior to the approval of building permits, any exterior lots shall provide an enhanced elevation.

Conservation and Environmental Services Division

8. Prior to building permit approval, the applicant shall submit the required performance deposit fee.

Fire Department

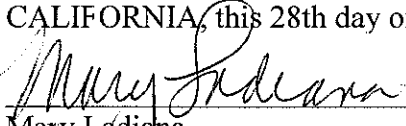
9. Prior to building permit approval, a fire flow analysis shall be required for each phase to ensure adequate fire flow at all phases of construction.

II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-09-37, date stamped on May 11, 2010, which includes a site plan and architectural elevations on file in the Planning Division, the conditions contained herein, and Title 19.
2. All landscaping and hardscape improvements shall be installed and maintained in accordance with the approved landscape plan.
3. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.

4. This Design Review Permit shall become void and ineffective if not utilized within three (3) year from the effective date thereof, in accordance with Section 19.14.260 of the Municipal Code.
5. The Property Owner and Applicant shall and do agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) City's approval and issuance of this Design Review Permit and (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project Site. The Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this Conditional Use Permit where indicated below. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 28th day of June 2010



Mary Ladiana
Zoning Administrator